

### **REMARKS**

The Office rejects claims 1-18 and withdraws claims 19-23 from prosecution. Claims 1-23 (2 independent claims; 23 total claims) remain pending in the application. Reconsideration of this application is respectfully requested.

### **35 U.S.C. §112 REJECTIONS**

The Examiner now rejects claim 3 under 35 U.S.C. §112 (second paragraph) as allegedly being indefinite. The Examiner indicates that a broad range together with a narrow range (that is within the broad range) in the same claim is indefinite. The Examiner alleges that "the correction command is recorded on a recording medium and is input...by reproduction" in claim 3 in light of "receiving a correction command, from outside the signal processing apparatus" in claim 1 is indefinite. The Examiner alleges that claim 3 recites the broad limitation and claim 1 recites the narrow limitation, but that claim 3 cannot be broader than claim 1.

The Examiner interprets the claims such that the recording medium is not part of the apparatus and the external command is input by the interface between the recording medium and the apparatus. The Examiner alleges that the recording medium and the apparatus are separate and distinct.

In an exemplary embodiment of the claimed invention, Figure 1 shows a signal processing apparatus 1a connected to a reproduction apparatus 2 for reproducing information recorded on a DVD 1.<sup>1</sup> Signal processing apparatus 1a includes a filter coefficient selection section 3 for receiving a correction command from outside the signal processing apparatus 1a, memory 4 for receiving a filter coefficient for correcting the acoustic signal AS from outside the signal processing apparatus 1a, and a correction section 5 for correcting the acoustic signal AS.<sup>2</sup>

In an exemplary embodiment of the claimed invention, Figure 1A illustrates an image signal VS, an acoustic signal AS, and an acoustic signal correction data recorded on a recording medium 1 and is reproduced to be input to signal processing apparatus

<sup>1</sup> Subject Application, page 17, lines 28-32.

<sup>2</sup> Subject Application, page 18, lines 18-31.

1a. For example, broadcast or communication may be received so as to be input to the signal processing apparatus as shown in Figures 1B and 1C.<sup>3</sup>

Accordingly, claim 1 reciting "receiving a correction command from outside the signal processing apparatus ..." is broader than claim 3 reciting "the correction command is recorded on a recording medium and is input to the signal processing apparatus ...". As such, claim 3 recites a narrower limitation than claim 1 (and is proper as being dependent upon claim 1).

Furthermore, the Examiner alleges that "[t]he medium and therefore the correction command is within the apparatus and not external to it, as claimed in claim 1". However, this allegation is incorrect and should not be interpreted to be a part of claim 1.

Applicant respectfully requests withdrawal of this rejection.

### **35 U.S.C. §102 REJECTIONS**

The Examiner rejects claims 1-17 under 35 U.S.C. §102(e) as allegedly being anticipated by Kitamura (U.S. Patent No. 6,704,421, issued March 9, 2004, assignee is ATI Technologies, Inc.).

Kitamura discloses an automatic multichannel equalization control system that uses programmable multichannel templates containing equalization control values for a programmable multichannel audio processor (that selectively controls each channel of multichannel audio using the equalization control values).<sup>4</sup> Kitamura discloses a multimedia computer system 10 that includes an automatic multichannel audio control system 12, a conventional disc reader 14, a conventional decoder with associated logic 20, and a standard video processor 22.<sup>5</sup>

Kitamura fails to teach, advise, or suggest "a correction section for correcting the acoustic signal using the at least one filter coefficient selected by the filter coefficient selection section so that the acoustic signal matches the image signal being reproduced together" as recited in claim 1 (and claims 2-17, which variously depend from claim 1) (emphasis added).

<sup>3</sup> Subject Application, page 17, lines 17-25.

<sup>4</sup> Kitamura, Abstract.

<sup>5</sup> Kitamura, column 3, lines 25-56.

The Examiner alleges that Kitamura discloses "the acoustic signal matches the image signal being reproduced together" in column 4 (lines 18-21). But this section of Kitamura discloses video processor 22 sends synchronization information or channel select information for multiple audio tracks or multiple language tracks through a control line 32.<sup>6</sup> In contrast, claim 1 recites correcting the acoustic signal using the filter coefficient selected by the filter coefficient selection section so that the acoustic signal matches the image signal being reproduced together. As such, regardless of whether video processor 22 sends synchronization information through control line 32, Kitamura fails to disclose the claimed feature(s) of claim 1. This is so for at least the reason that Kitamura's synchronization information does not correct "the acoustic signal using the at least one filter coefficient selected by the filter coefficient selection section" as recited in claim 1.

An exemplary advantage of the claimed invention is that signal processing apparatus 1a allows a viewer/listener 8 to listen to the sound which is matched to the image displayed by image display apparatus 7 through headphones 6. The correction performed on acoustic signal AS by correction section 5 changes in accordance with a change in image signal VS and/or a change in acoustic signal AS. As a result, viewer/listener 8 does not notice any discrepancies in a relationship between the image and the sound.<sup>7</sup>

In contrast to an advantage of the claimed invention, Kitamura discloses the need for a computer based automatic equalization controller for use in multichannel audio systems that accommodates varying audio formats.<sup>8</sup> In this way, Kitamura fails to solve problems associated with the discrepancies in the relationship between the image and the sound being reproduced together. Kitamura fails to recognize such an advantage, and consequently, fails to address it.

Thus, Kitamura fails to teach, advise, or suggest one or more of the claimed limitations, so that claims 2-17 are patentable over this reference.

<sup>6</sup> Kitamura, column 4, lines 18-21.

<sup>7</sup> Kitamura, page 31, line 31 to page 32, line 7.

<sup>8</sup> Kitamura, column 1, line 66 to column 2, line 11.

**35 U.S.C. § 103 REJECTIONS**

The Examiner rejects claim 18 under 35 U.S.C. §103(a) as allegedly being unpatentable over Kitamura as applied to claim 1 and further in view of Saito (U.S. Patent No. 3,766,547, issued October 16, 1973, assignee is Sony Corporation). Applicant respectfully traverses the rejection.

Based on the above discussion of claim 1 and the Kitamura reference, claim 18 (which depends from claim 1) is also patentable over Kitamura in view of Saito.

**CONCLUSION**

Thus, the Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned if he or she has any questions whatsoever regarding this Response or the present application in general.

Respectfully submitted,

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